

**WEST VALLEY CITY  
PLANNING COMMISSION  
MINUTES**

**September 10, 2008**

The meeting was called to order at 4:04 p.m. by Vice-Chairman Brent Fuller at 3600 Constitution Boulevard, West Valley City, Utah

**WEST VALLEY CITY PLANNING COMMISSION MEMBERS**

Brent Fuller, Jack Matheson, Terri Mills, Phil Conder, and Jason Jones

**ABSENT:**

Harold Woodruff and Mary Jayne Davis

**WEST VALLEY CITY PLANNING DIVISION STAFF**

John Janson, Shane Smith, Steve Lehman, Ron Weibel, Hannah Thiel, Jody Knapp and Sheri McKendrick

**WEST VALLEY ADMINISTRATIVE STAFF:**

Nicole Cottle, Deputy City Attorney

**AUDIENCE**

Approximately ten (10) people were in the audience

**ZONE TEXT CHANGE APPLICATIONS:**

**ZT-10-2008**

**West Valley City  
3600 Constitution Boulevard  
West Valley City, Utah 84119**

**West Valley City Code 7-13-200P, Part 2**

West Valley City is requesting an ordinance text change to 7-13-200P, Part 2 – 3500 South / Redwood Road Streetscape to provide for a different type of streetscape lighting than suggested by existing code be required to the west of 2200 West. Current Code requires that a single type of streetscape lighting, the ‘teardrop’ or pedestrian (sidewalk) lighting, be used between 2700 West and the Jordan River. This proposed change requires this same lighting between 2200 West and the Jordan River, as this lighting has already been installed along portions of this corridor. This change would also require a different, ‘Double Acorn’ type of streetscape lighting between 2700 West and 2200 West.

The ‘Double Acorn’ type street lamps are expected to be installed by the Utah Department of Transportation and West Valley City upon completion of 3500 South road-widening projects. Additionally, these lamps are cheaper when considering the lengthened spacing, and they illuminate both the street and the sidewalk, whereas the pedestrian lighting only illuminates the sidewalk. Due to the angles of the light emanating from the lamps, a side by side comparison of light quality is difficult. The Sidewalk or ‘Teardrop’ lamps emit and direct light downward in a conical shape, whereas the ‘Double Acorn’ lamps emit and direct light more horizontal and downward. The horizontal angles as well as the internal cap that prevents the lamps from emitting light upward, both contribute to reduced light pollution.

The intent of this change is to continue to maintain consistency of street lighting along 3300/3500 South, while allowing for this more convenient and cost effective type of lighting.

**Staff Alternatives**

1. **Approval**, to affirm this change to the City Ordinance.
2. **Approval**, with application of ‘Double Acorn’ style street lighting throughout this corridor.
3. **Continuance**, to complete further research and/or resolve any questions.
4. **Denial**, for reasons determined through the public hearing.

**Applicant:**

West Valley City

**Discussion:** Vice-Chairman Fuller stated that staff has requested to continue this application.

There being no further discussion regarding this application, Vice-Chairman Fuller called for a motion.

**Motion:** Commissioner Conder moved to continue until October 8, 2008 as

requested by staff.

Commissioner Jones seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Vice- Chairman Fuller	Yes

**Unanimous - ZT-10-2008– Continued**

**SUBDIVISION APPLICATIONS:**

**S-29-2008**

**Condie Subdivision – Amended & Extended  
4175 South 4800 West**

**BACKGROUND:**

Jeff Condie is requesting preliminary and final plat approval for the Condie Subdivision Amended and Extended. The subject property is bordered on the north by the Granger Gardens Subdivision and the east by the Moose Landing PUD. Property to the south is zoned residential and will be subdivided in the future as part of the Condie Park Estates Subdivision.

**STAFF/AGENCY COMMENTS:**

**Granger Hunter Improvement District:**

- Standard design improvements required.
- Coordinate existing easements and improvements.

**Public Works Department**

- Will need to meet all conditions of dedicated rights-of-way.
- Will need to dedicate 7 feet along 4800 West.

**ISSUES:**

- Jeff Condie is requesting approval to amend the original Condie Subdivision. The original plat consisted of 6 lots on approximately 2.3 acres. The original plat also contained a portion of 4175 South as a dedicated street. The purpose for this plat is to extend the subdivision eastward, dedicate the remaining right-of-way for 4175 South and consolidate all lots to create one large lot. In addition, the plat will dedicate an additional 7 feet along 4800 West to complete the full right-of-way requirements along this road.
- In April 2008, the Planning Commission reviewed a conditional use permit and

development plan for the remaining undeveloped property. At the present time, the project site consists of 22 dwelling units. The recently approved conditional use will allow the developer to build an additional 12 units.

- As part of the conditional use approval, the Planning Commission recommended that all existing lots be consolidated to create one large lot. In addition, access to any new units would need to be gained from a dedicated street. As a result, Mr. Condie has submitted a plat that accomplishes all of these requirements.
- This application is not intended to address any site related issues of the multiple family units. Mr. Condie continues to resolve the recommendations of the Planning Commission with staff.

#### **STAFF ALTERNATIVES:**

1. Approval of the Amended Condie Subdivision subject to a resolution of staff and agency recommendations.
2. Continuation, to address issues raised during the public hearing.

#### **Applicant:**

Jeff Condie  
4157 South Colt Court

**Discussion:** Steve Lehman presented the application and answered questions from Commissioner Conder regarding density. Jeff Condie, the applicant, explained that he spoke with Steve Pastorik earlier regarding the jog on the west end and would like to ensure that it's a straight line so people aren't jogging into an apartment area. He explained the purpose of this application is to allow for 10,000 sq. ft. lots when the project is developed in the future. Mr. Condie stated that larger lots will be needed for home plans that include the three car garages that are required by covenants for the Condie Park Subdivision. Mr. Condie stated that apartments are upgraded and he will continue to make improvements to doors, windows, and furnaces, including central air. Mr. Condie explained that everything is family managed and there is not a lot of turnover because of housing prices and the difficulty in obtaining construction or home loans. He stated that tenants stay for 2-3 years and added that 12 units will be included in this project. Mr. Condie and the Planning Commission discussed access for fire and garbage services and maintenance issues. Steve Lehman answered questions from the Planning Commission regarding whether the request to redraw property lines could be approved at this time.

There being no further discussion regarding this application, Vice-Chairman Fuller called for a motion.

**Motion:** Commissioner Matheson moved for approval subject to the resolution of staff and agency recommendations.

Commissioner Conder seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Vice- Chairman Fuller	Yes

**Unanimous - S-29-2008– Approved**

**S-32-2008**

**Tousley Subdivision  
3244 South 3600 West  
RM Zone  
4 Lots  
1.3 Acres**

**BACKGROUND**

Mr. Randy Tousley, is requesting preliminary and final subdivision approval for a 4-lot subdivision in the RM Zone. The proposed subdivision includes a small portion that was previously part of lot 19 in the Melrose Gardens Subdivision to the west. The purpose for the subdivision is to create separate lots for the existing duplex units and one for the recently approved 6 plex.

The impetus for the new subdivision is based on requirements of Granger Hunter Improvement District. The District is requiring the Tousley's to create separate lots to accommodate independent water and sewer services.

**STAFF/AGENCY CONCERNS:**

Fire Department:

- Compliance will all Fire Codes including turnaround area and hydrant location.

Granger Hunter Improvement District:

- Project will need to run availability for water, sewer and fire protection.
- Subject to design and review inspections.

Utility Agencies:

- Subject to all standard easement locations.

Public Works:

- Comply with provisions of Conditional Use requirements.

**ISSUES:**

- The proposed subdivision consists of 4 lots. However, only 1 new building will be constructed as a result of the subdivision. At the present time, the property contains a 5-plex and two duplex units. In addition, a portion of lot 19 of the Melrose Gardens Subdivision has been added to the property description based on conditional use requirements regarding open space.
- As pointed out during the study session, lots and frontages within this development do not meet requirements of the RM zone. However, staff has determined that this project will be structured similar to a planned community with shared parking, open space and restrictive covenants. Therefore, the project will be designated as a PUD which does allow for the flexibility of development standards.
- The access drive will be 24 feet in width which is sufficient in size to provide access to all dwellings including fire protection. The driveway will encumber lots 2 and 3. However, access easements will be in place to ensure that all lots have the same rights to use the drive. In addition, the driveway will also be designated as a public utility and access easement to serve all lots in the subdivision.
- During the study session, a question was raised about the subdivision opening up the option for the applicant to sell individual lots. Staff failed to mention that at the present time, each of the existing buildings occupies its own lot. While the proposed subdivision will modify some of the existing lot lines, each building would have remained independent of each other even without the subdivision. The applicant explained to staff that keeping the individual lots is critical to their financing package.
- To conclude, the subdivision is being processed to accommodate GHID requirements. All site issues related to the development of this property have already been addressed through the conditional use process. The applicant continues to work with our office and the Engineering Division to satisfy the conditions outlined during the conditional use process.

**STAFF ALTERNATIVE:**

1. Approval subject to a resolution of staff and agency concerns.
2. Continuation to address any concerns raised during the Planning Commission hearing.

**Applicant:**

Randy Tousley  
3244 S. 3600 W.

**Discussion:** Steve Lehman presented the application. Randy Tousley, the applicant, explained that he is trying to push forward and noted the improvements that have already been made on existing buildings. He added that he is moving forward in good faith and has had positive feedback from the neighborhood. Commissioner Matheson commented that the applicant is doing a good job.

There being no further discussion regarding this application, Vice-Chairman Fuller called for a motion.

**Motion:** Commissioner Jones moved for approval subject to the resolution of staff and agency concerns.

Commissioner Mills seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Vice- Chairman Fuller	Yes

**Unanimous - S-32-2008– Approved**

**CONDITIONAL USE APPLICATIONS:**

**C-36-2008**

**Argent Group 201, LLC**

**4411 West 2100 South**

**M Zone 79.5 Acres**

The applicant is requesting conditional use approval for an office/warehouse development on 79.5 acres in a manufacturing zone. The surrounding properties are zoned manufacturing (M). The West Valley City General Plan anticipates light manufacturing uses in this area.

The master plan submitted shows 19 building of varying sizes, with a total square footage of 1,189,256 for all buildings. Three buildings will front on the 2100 South frontage road and the rest will front on interior streets of the development. There will be access to the 2100 South frontage road to the north and to Links Drive (2400 S.) to the south. However, large truck traffic will be restricted to the north access drives and will not be allowed to enter or exit from Links Drive. The applicant has indicated that all roads will have signs indicating this restriction.

The parking calculations for the development were done based on anticipated needs for office, retail and warehouse space. Depending on the size and location of the buildings these calculations differ but generally approximately 20% office and 80% warehouse breakdown was used. This put the total number of required stalls at 1,512. The master plan indicates the total number of stalls provided is 1,697. The applicant has indicated that to comply with LEED (Leadership in Energy and Environmental Design) requirements they are going to reduce the number of stalls provided to approximately the minimum required by City ordinances. Given the percentage of office/retail used for the parking calculation this reduction should not create a parking shortage as in many cases only 10% office space is designated when figuring parking requirements for office/warehouse developments.

In order to meet LEED requirements in the storm water category the applicant is also showing a landscape cross section for the setback adjacent to the interior street that has a swale. Current ordinances require a berm in the setback area where parking is adjacent to a street. An ordinance text change to allow swales under certain conditions has been proposed and may go before the West Valley City Council before the public hearing for this conditional use. If this text change is approved and if the landscaping plan for this development is approved by the Planning Commission then the swales can be built in place of the berming currently required. If either of these conditions are not met then the applicant will need to submit a revised site plan that shows all landscaping conforming to current ordinances and Planning Commission approvals.

There was concern expressed by the Planning Commission in the study session on September 3, 2008 about the type of soil on this site as it relates to both drainage and types of plantings. The type of soil does not allow for good percolation of ground water and other developments in this area have had problems keeping certain types of plantings alive because of the soil. The applicant has indicated that approximately seven or eight years ago four to six feet of soil was placed on this site, and another three feet or so will be brought in for construction. This will have some effect on both the percolation issue and on the plantings issue. The applicant will come to the public hearing prepared to address these issues.

A traffic study for this development was done by A Trans and submitted to West Valley City Public Works and has been reviewed and approved. Any issues that Public Works had are being addressed by the applicant and by the EDA (Economic Development Area) through West Valley City RDA. As previously mentioned, truck traffic will not be allowed on Links Drive.

There are no enhanced architectural requirements in this zone or this area. However, the architecture submitted with this proposal has relief in the roof line, in the wall planes and in colors used. Signs for the individual businesses will be limited to wall signs and the development will have directory signs interspersed throughout the site and one pole sign on the 2100 South frontage.

#### **Staff Alternatives:**

- Approval, subject to the resolution of any issues raised at the public hearing and the following conditions:
  1. All requirements of any other affected departments and/or agencies must be met.
  2. No truck traffic will be allowed on Links Drive.
  3. The proposed swales may only be used if the ordinance text change allowing them is passed by the West Valley City Council. Otherwise a three foot high berm must be provided in areas required by the current ordinance.
  4. Landscaping, including trees, appropriate for the existing soil conditions must be used to insure survival of all plantings.
  5. All signage must comply with the sign ordinance and any changes to what has been submitted must be reviewed by the Planning Commission.
- Continuance, to allow for the resolution of any issues raised at the public hearing.



**Applicant:**

Greg Haehl  
4411 W. 2100 S.

**Favored:**

Terrell Sparks  
2076 Elderberry  
Sandy, UT

**Favored:**

Scott Roche  
4179 Riverboat Rd. #200  
SLC, UT

**Favored:**

Lyle Beecher  
3315 E. Lion Lane  
Holladay, UT

**Discussion:** Ron Weibel presented the application. Terrell Sparks stated that it has been a great experience to work with staff over the last year regarding this project. Mr. Sparks discussed establishing the EDA and goals for this development which will be a leading edge development for the state of Utah. He explained that his company will be utilizing design concepts using LEED criteria to attract national tenants to this development and that is the primary reason that the use of swales is being requested. Mr. Sparks explained that his company is asking for a swale about 2 ½ feet deep and he showed an illustration of what this swale would look like, adding that it's not simply a big drainage ditch. Mr. Sparks stated that he appreciated the City Council approving the text change in order for them to move forward. He concluded that this development will be a long term project that will be beneficial to West Valley City.

Commissioner Matheson inquired about the maintenance of a swale. Scott Roche, an engineer for the project, distributed an illustration & discussed in detail the function of the bio-swale criteria including detention, filtration and percolation. He also answered several questioned from Planning Commission members.

Lyle Beecher, the architect for the project, explained that he has talked to Matt Isbell at Stonebridge Golf Course & Nate Warren in charge of landscaping for Zions Securities. He stated that he has reviewed the landscaping plan with Warren and have made adjustments as a result of Commissioner Matheson's concerns during the study session last week. He stated that he is working to address issues regarding soils, root drains around tree ball, etc. and will continue to make adjustments. He added that he will continue to explore options including reviewing a list of trees. Mr Beecher answered questions from Commissioner Mills regarding turf to be used for the swale system.

Mr. Sparks answered questions regarding the motivation and reasons behind seeking LEED certification for this project. He explained that he wants to use this certification to attract tenants from around the U.S., not just from Utah. Mr. Sparks stated that he believes the market will demand LEED certified buildings in the future. He added that the philosophy regarding this project has shifted over the past few months due to what has been seen in the national markets and what will soon be seen here in Utah. Mr. Sparks also answered questions from Planning Commission regarding ideas to keep truck traffic off Links Dr. He discussed options with staff and indicated they would be pro-active in signing and incorporating rules in CC&R's and

use good roadway designs to mitigate problems.

Commissioner Matheson expressed comments regarding swales, truck traffic & landscaping. Commissioner Mills stated that she is pleased with landscaping & the resolution of issues regarding truck traffic on Links Drive. Upon inquiry by Commissioner Mills, Ron stated that there are too many wetlands issues for Links Dr. to go further west at this time.

There being no further discussion regarding this application, Vice-Chairman Fuller called for a motion.

**Motion:** Commissioner Matheson moved for approval subject to the 5 staff alternatives.

Commissioner Jones seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Vice- Chairman Fuller	Yes

**Unanimous - C-36-2008– Approved**

**C-39-2008**

**Alfredo Sanchez, Used Auto Sales and Repair Shop**

**4301 West 3500 South**

**General Commercial (C-2) zone, 0.81 acres**

**Staff Presentation by Hannah Thiel, Planner I**

**Background**

Alfredo Sanchez is requesting a conditional use approval for a used auto sales and repair shop located at 4301 West 3500 South. A conditional use was initially approved for this location on October 22, 1998 for an auto repair business. This application is an amendment to the initial conditional use permit for auto sales. A used auto sales and repair shop is a conditional use in the 'C-2' or general commercial zone. This property occupies 0.81 acres of land. The General Plan designates this property as General Commercial or Medium Density.

The applicant has noted in the attached letter that Ot's Auto Inc. would be open Monday through Saturday from 9 a.m. until 6 p.m. Currently, there is a wall sign on the building for a previous business. The applicant has indicated that they plan to put up a new wall sign on the face of the building for their business. The West Valley City sign ordinance allows a maximum 15% of the front building elevation to be used for a wall sign if no pole sign exists on the property and a maximum of 5% of the side and rear elevations be used for wall signage. There are no monument or pole signs on site and none are currently proposed.

This property currently does not supply enough parking for a car sales facility. There is

enough parking for the car repair as currently approved, but car sales would require 2 more spaces plus the number of spaces for the cars the applicant would like to display, in addition to what is currently on site. **The minimum number of spaces required for this use is 11 spaces not including the number of spaces needed for display.** The site currently has 10 spaces striped. As shown on the submitted site plan, the applicant would like to add parking spaces to the front of the property as well as to concrete the back gravel area. Unfortunately, the site plan submitted does not reflect the parking space setback or size requirements of the ordinance. Staff has revised the site plan, so that it would meet the parking standards in the City Ordinances. The site could sustain 2 more spaces next to the existing 8 spaces on the southwest portion of the property as well as 6 more spaces (2 of which must be compact spaces) on the west side of the property. **Ultimately, the site could uphold an additional 8 spaces for a total of 18 spaces on site as long as the area being expanded on is paved and striped. This would allow the applicant to sell a maximum of 7 cars on site at a time.**

The landscape onsite has not been maintained. There is a park strip area that had sod that has been left to dry out and die. There is also a planter area that is three feet wide along the entire length of the parking area on the west side of the property; the few plants left in this planter area have also been neglected. In addition, there are a couple dirt areas next to the bay doors that have no plant material. The proposed parking in the south area of the property, within the fenced area, will leave an area with approximate size of 18 feet by 18 feet that should be landscaped concurrent with the parking lot expansion. Finally, the lot is more than twice the size of the fenced area of the proposed auto repair and sales business. This area out of the fenced area is full of weeds and brush.

The property on the South, East, and North sides of 4301 West 3500 South are zoned C-2 and are designated General Commercial or Medium Density under the General Plan. The South side of 4301 West 3500 South is zoned R-1-8 and is designated Low Density Residential under the General Plan. As the surrounding uses are predominantly zoned general commercial, and there is an existing fence as well as approximately 180 feet of undeveloped area next to the residential zone, staff does not see this use adversely affecting neighbors or neighboring zones.

#### **Recommendations/ Staff Alternatives**

- Approval subject to any issues raised at the public hearing as well as the following conditions:
  1. That the applicant shall adhere to all conditions of approval for this property in application C-25-98 on October 22, 1998. This shall include, but is not limited to, Re-roofing and stabilizing the awning per Building Inspections on the south side of the building, and finishing the proposed plans in file C-25-2008 to improve the appearance of the front of the building.
  2. That the applicant submit a building permit application for any new sign, and that the sign meet all regulations for signs contained in Title 11 of the West Valley City Code and be reviewed and approved by West Valley City, prior to obtaining a business license.

3. That the applicant acquire all necessary permits for any building or alterations to the building through Building Inspections, and the Fire Department prior to obtaining a business license.
  4. That the applicant meet all requirements and acquire all necessary permits for the Engineering Department, in particular, for site drainage and storm water management. This would require the applicant to submit engineered drawings to be reviewed by the Engineering Department.
  5. That any future parking spaces striped on the property are striped in accordance to West Valley City ordinances and that an accurate and scaled site plan is submitted prior to installation, indicating exactly where and how many spaces are added, modified, or removed.
  6. That all cars shall be parked on hard surfacing (asphalt or concrete) and shall not be parked in any landscape area or any area not designated for parking.
  7. That a maximum of 7 cars shall be allowed on site for display and sale where 18 spaces are provided on site, per the West Valley City Parking Ordinance.
  8. That the southwest corner of the property within the fenced area be converted into a landscaped area with a minimum of three trees and sod or ground cover that meets West Valley City Ordinances.
  9. That the park strip, the planter area next to the parking area on the west side of the property, and the areas with dirt adjacent to the building and bay doors, be landscaped with shrubs, trees, sod and ground cover in accordance to the West Valley City ordinances. A landscape plan shall be submitted and reviewed by the Planning Commission in a Study Session.
  10. That the south portion of the property that is not within the business' fenced area be cleared of all weeds and brush and kept neat and clean.
  11. That the exterior of the building be cleaned and fully painted.
  12. That the bars shall be removed from the windows.
  13. That a valid West Valley City Business License be reviewed and approved prior to any business or automotive work being done.
  14. That the Planning Commission reviews this application upon receipt of valid unresolved complaints.
- Continuance, for resolution of any issues that may arise at the public hearing.
  - Denial of Conditional Use Amendment for Auto Sales

**Applicant:**

Alfredo Sanchez  
3500 S. 4301 W.

**Neutral:**

Wilson Palmer Robins  
3730 Millstream Dr.  
SLC, UT

**Discussion:** Hannah Thiel presented the application. Upon inquiry by Commissioner Matheson, Hannah clarified that original conditions would also have to be met. Commissioner Mills requested to see photos regarding the unkempt landscaping and the photo showing the location of additional parking stalls. Hannah provided the photo's as requested.

The applicant, Alfredo Sanchez, stated that he wants to open the business as auto sales & repair, as stated in the application, including tires and car detailing. Upon inquiry regarding the conditions, he expressed concern regarding #4. He stated that he would like to have more cars than allowed by the City because he thought more would fit on the property. Commissioner Matheson asked if it is possible for the applicant to remove the weeds in the gravel area to provide more parking. Hannah explained that for this use it would need to be hard surfaced and striped. Commissioner Fuller stated that condition #4 is an engineering requirement and the Planning Commission cannot waive it.

The property owner, Wilson Palmer Robins, stated the he has concern regarding the landscaping requirement on the west side of the adjacent building. He stated that an actual survey of the property hasn't been done and previous conditions required a sidewalk that may be on neighbors property or very close. He added that he is happy to try and do something there regarding the maintenance and upgrading. Mr. Robins explained that was a condition, but there is a conflict with the person who actually owns that property. Mr. Robins answered questions from Commissioner Matheson regarding the painting of the building and replacement of awning and other repairs. New tenants will be painting the building and making it look nice.

Hannah answered questions from Commissioner Jones regarding whether all conditions had to be met before obtaining business license. Commissioner Conder inquired about ownership and improvement of property as raised by Mr. Robins. Hannah replied that the applicant will have to meet conditions if it is their property so it may have to be surveyed.

There being no further discussion regarding this application, Vice-Chairman Fuller called for a motion.

**Motion:** Commissioner Conder moved for approval subject to the 14 conditions listed by staff.

Commissioner Jones seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes

Commissioner Mills	Yes
Vice- Chairman Fuller	Yes

**Unanimous - C-39-2008– Approved**

**C-40-2008**

**Mike Riddle Mitsubishi**  
**1925 West 3500 South**  
**Car Dealership Expansion**  
**C-2 Zone (3.47 Acres)**

**Introduction:**

The applicant, Mike Riddle, is requesting a conditional use for an expansion of a new car dealership at 1925 West 3500 South. The property is zoned general commercial (C-2). Auto sales and service is listed as a conditional use in the C-2 Zone. The General Plan anticipates General Commercial uses in this area. The surrounding area is zoned C-2. The adjacent uses include a retail/storage unit center to the east, a grocery/warehouse use to the south, a pawn shop to the west, and retail to the north.

**Staff Issues/Concerns:**

Mike Riddle Mitsubishi recently purchased the property that was occupied by Lake's Auto. They have also purchased the two parcels adjacent to 1950 West (1.09 acres) and have removed the buildings on site to expand the vehicle display area. Mr. Riddle has proposed adding landscaping and an additional 107 parking stalls for this vehicle display lot. Mr. Riddle has plans for future expansion that would include a new dealership office building. Those plans will be reviewed by the Planning Commission in a future public hearing. At that time, the remaining southwestern portion of the lot will be developed.

This site is located on 3500 South and is within the 3500 South Streetscape area. Therefore the applicant will be required to improve the northern frontage per section 7-13-200 of the West Valley City Municipal Code. This would include a 15' bermed area, a 10' sidewalk and an additional 5' landscaped area that also includes pedestrian lighting.

Since the development is proposed in phases, Mr. Riddle is proposing to complete the streetscape along the western frontage, which includes closing the western most access point, and would like to postpone the eastern portion until the remaining portion of the site is developed. However, staff feels that the improvements should be completed along the entire frontage at this time. This will create a more unified look for the site and then the access points, lighting and construction will all be able to be reviewed and constructed at the same time.

The streetscape along 1950 West will be improved as well. Curb gutter and sidewalk are existing for the majority of the frontage but it will need to be extended another 82-feet. Currently there are three access points and they will be consolidated in to one access that will line up with the aisles in the new display parking area. There will be a 20' landscaped area and staff recommends that trees be planted in this area as well with a spacing of one tree every thirty-feet. The remaining frontage will be completed during the next phase of development.

The new display lot area will include landscaped islands per section 7-9-113 of the West Valley City Municipal Code. This will include the 5' x 36' landscaped areas at the end of the

parking aisles with a minimum of two (2) trees and 50% live plant material. The five required customer parking stalls will remain on the existing portion of the site adjacent to the main office. There are additional employee parking spaces located in the southeast corner of the site.

The car sales that are conducted are new cars and the site does not include auto repair facilities. Some detailing may be conducted on site but the majority of the preparation work will be conducted at the other Mitsubishi facilities.

Additional lighting will be added to the site, however a lighting plan has not been submitted at this time. This use is not directly adjacent to residential property so there should not be any negative impacts to adjacent properties due to any additional lighting.

There were two pole signs located on these parcels that have since been removed. The site does not meet the 10 acre minimum requirement for a pole sign but the applicant may utilize monument signs. There is currently one monument sign located on the site plan adjacent to the new entrance on 1950 West, but the applicant has not submitted elevations for the sign at this time. The applicant has not indicated that any signage will be located along 3500 South at this time.

**Staff Alternatives:**

**Approval** of the conditional use for Mike Riddle Mitsubishi, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. The site shall be developed per the approved site and landscaping plans.
2. The entire frontage along 3500 South shall be improved per section 7-13-200 of the West Valley City Municipal Code.
3. The 20' landscaped area along 1950 West shall include trees with a spacing of one tree every thirty-feet. Trees shall be chosen from the list in section 7-13-103 of the West Valley City Municipal Code.
4. It is recommended that all parcels be consolidated in to one parcel.
5. The streetscape, curb, gutter, sidewalk and access location and improvements shall all be done in accordance with the requirements of the West Valley City Public Works Department and the Utah Department of Transportation.
6. Must submit a lighting plan in accordance with section 7-9-114 of the West Valley City Municipal Code. The lighting placement along 3500 South shall be coordinated with the interior parking lot lighting.
7. A monument sign plan must be submitted and approved by the Planning Commission at a future study session. \
8. The undeveloped portion of the site can not be used as for storage, parking, access of any other purpose at this time. Any future development shall be approved by the Planning Commission in a public hearing.
9. Vehicle display is prohibited from all drive access areas and all landscaped areas.

10. No storage of inoperable vehicles permitted on site.
11. The site is approved for car sales and not as an auto repair facility.
12. Subject to review upon a valid complaint.

**Continuance** to allow time for the applicant to prepare revised landscape, site and sign plans or for reasons determined at the hearing.

**Applicant:**

Brian Gabler  
1441 S. 980 W.  
Bluffdale, UT

**Favored:**

Eric Wilde  
2737 N. 7000 E.  
Croydon, UT

**Discussion:** Jody Knapp presented the application. Commissioner Matheson expressed comments regarding trees on the property. The applicant, Brian Gabler, stated that he is an engineer representing the property owner. He stated that he has reviewed comments and met with staff. Mike Riddle, the property owner, has concerns regarding the extension of the landscaping path across the existing parcel because Mr. Riddle is working with a franchise for a new dealership at this location. He will be moving forward but it will take about a year for that. Mr. Gabler stated that power needs and other improvements may go across that frontage only to be torn out and rebuilt again when the entire site is developed. He concluded that there are no other problems with any other comments made by staff. Mr. Gabler answered questions from the Planning Commission. Commissioner Conder expressed concern and comments regarding landscaping.

Eric Wilde, Mike Riddle's father-in-law, explained the he has vested interest in this matter. He explained franchises and stated there were two looking at this property. Mr. Wilde stated that it's not as up in the air as it seems, but it takes time to work through the process and come to terms with them. He answered questions from the PC regarding landscaping issues and stated it was dependent on requirements of the franchise. Upon clarification, he stated they had no problem with landscaping along 3500 S.

There being no further discussion regarding this application, Vice-Chairman Fuller called for a motion.

**Motion:** Commissioner Mills moved for approval subject to the 12 staff conditions.

Commissioner Conder seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes



Commissioner Mills	Yes
Vice- Chairman Fuller	Yes

**Unanimous- C-40-2008– Approved**

**C-42-2008**

**Mariscos Las Islitas (Jose Rodriguez)**  
**3010 West 3500 South**  
**Restaurant liquor license**  
**C-2 Zone (.48 Acres)**

**Introduction:**

The applicant, Jose Rodriguez, is requesting a conditional use for a restaurant liquor license at 3010 West 3500 South. The property is zoned general commercial (C-2). A restaurant with a liquor license is listed as a conditional use in the C-2 Zone. This area is included in the City Center Vision Plan. The surrounding area to the north is zoned R-1-6 and the remaining sides are zoned C-2. The adjacent uses include a retail strip center to the west, a used car dealership to the east, and single family residential to the north.

**Staff Issues/Concerns:**

Mariscos Las Islitas is currently operating as a restaurant with a beer license. They would like to expand their services to include serving heavy beer, therefore becoming a restaurant with a liquor license under the West Valley City Code. They will be applying for a Limited Restaurant license through the Department of Alcohol and Beverage Control which permits the sale of heavy beer and wine.

Staff does not have any site concerns related to this project as it will be located in an existing restaurant and the building or signage will not be altered in any way. There is adequate parking for this use as the demand does not change with this application.

**Staff Alternatives:**

1. **Approval** of the conditional use for Mariscos Las Islitas, a restaurant with a liquor license, subject to the resolution of any concerns raised at the public hearing and meeting the requirements of all affected departments and agencies, including the Department of Alcohol and Beverage Control.
2. **Continuance** for reasons determined at the hearing.

**Applicant:**

Mariscos Las Islitas #2  
3010 West 3500 South

**Discussion:** Jody Knapp presented the application. Commissioner Fuller noted that applicant was not in attendance. Jody answered questions from Commissioner Mills regarding requirements for certain types of liquor licenses. She answered

questions from the Planning Commission regarding crime & code enforcement issues and standards in City & State codes regarding liquor licenses.

There being no further discussion regarding this application, Vice-Chairman Fuller called for a motion.

**Motion:** Commissioner Matheson moved for approval of the conditional use for Mariscos Las Islitas, a restaurant with a liquor license, subject to the resolution of any concerns raised at the public hearing and meeting the requirements of all affected departments and agencies, including the Department of Alcohol and Beverage Control.

Commissioner Mills seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Vice- Chairman Fuller	Yes

**Unanimous - C-42-2008– Approved**

**PLANNING COMISSION BUSINESS**

Approval of minutes from July 9, 2008 (Regular Meeting) **Continued**  
Approval of minutes from July 16, 2008 (Study Session) **Continued**  
Approval of minutes from July 19, 2008 (Study Session) **Continued**  
Approval of minutes from August 13, 2008 (Regular Meeting) **Continued**  
Approval of minutes from August 20, 2008 (Study Session) **Continued**  
Approval of minutes from August 27, 2008 (Regular Meeting) **Continued**

There being no further business, the meeting adjourned at 5:27 p.m.

Respectfully submitted,

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Nichole Camac, Administrative Assistant